

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 11, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34255 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
RIVER OF LIFE MINISTRIES, INC. - Request for a Special Use Permit FOR A
CHURCH/HOUSE OF WORSHIP at 5300 North Rainbow Boulevard (APN 125-35-201-006),
R-E (Residence Estates) Zone, Ward 6 (Ross)

C.C.: 07/15/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda – Protest Postcards

Motion made by KEEN ELLSWORTH to Approve subject to conditions and adding the following condition as read for the record:

A. There shall be an administrative review of the Special Use Permit one year after the final inspection for change of occupancy.

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE,
KEEN ELLSWORTH; (Against-RICHARD TRUESDELL, BYRON GOYNES); (Abstain-
None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 33 and 34.

PLANNING COMMISSION MEETING OF: JUNE 11, 2009

DOUG RANKIN, Planning and Development, stated that the proposed conversion of the single-family dwelling into a church/house of worship will have 11 parking spaces, including one handicap space. The applicant has not indicated an ADA accessible route as specified by the condition of approval requiring revised site plans to be ADA compliant, and must also meet the condition requiring 24-inch box Italian Cypress trees to be located on the northern west side of the paved driveway to prevent vehicular access or parking to the undeveloped areas in the west and south side of the site.

MR. RANKIN added that there is a requirement for a trail along Rainbow Boulevard, and if installed at this time, will require a transition between the two existing sidewalks. Condition 24 of the site development was added for a covenant running with the land to be recorded at the time the full trail could be installed. Staff recommended approval.

MR. RANKIN read an additional condition to be imposed on Item 34 requiring the applicant to provide a letter to the Planning Department confirming that curb-side trash pick-up is acceptable. If such a letter cannot be provided, a trash enclosure meeting all requirements of Title 19.08 shall be provided on the site.

GEORGE HIGGINS stated the property was purchased in February to be used as a house of worship. Services will be held on Sunday mornings and evenings between two to three hours. Meetings will be held on Wednesdays and Thursdays, which will last three hours. He indicated that Republic Services will allow three totes.

TODD FARLOW asked if the pastor will live on the premises and the number of congregation members. He would not support the conversion if there is no adequate parking.

COMMISSIONER GOYNES verified with MR. HIGGINS that services will be held inside, the congregation has 55 members, and that the pastor will not live in the house of worship.

MR. RANKIN asked that MR. HIGGINS provide the required ADA route and the revised plan needs to show the ADA compliance prior to final permits.

COMMISSIONER ELLSWORTH verified that the house of worship will also be used for meeting space and there is enough room for parking. A compliant ADA accessible route will be included on the site plan. MR. HIGGINS indicated that no tents will be erected outdoors.

COMMISSIONER EVANS suggested a review period to provide a level of protection for adjacent residents. MARGO WHEELER, Director of Planning and Development, suggested an additional condition for an administrative review one year after the final inspection for change of occupancy.

COMMISSIONERS TRUESDELL and GOYNES explained that the reason for not supporting the application was due to safety issues and proper exit in the event of a fire. Additionally, conversions of residential properties are taken off the tax roll, which hurts the area. This is not

PLANNING COMMISSION MEETING OF: JUNE 11, 2009

an appropriate location for this conversion. MR. HIGGINS replied there are exits that lead into the courtyard.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 32 and 33.

